

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
SCOTTIE NELL HUGHES,

Plaintiff,

- against -

TWENTY-FIRST CENTURY FOX, INC., FOX NEWS  
NETWORK, LLC, DIANNE BRANDI, in her individual and  
professional capacities, IRENA BRIGANTI, in her individual  
and professional capacities and CHARLES PAYNE, in his  
individual and professional capacities,

Defendants.  
----- X

17 Civ. 07093 (WHP)

**DECLARATION OF LINDA C. GOLDSTEIN IN OPPOSITION  
TO PLAINTIFF'S MOTION TO QUASH THE FOX DEFENDANTS'  
NON-PARTY SUBPOENAS *DUCES TECUM***

LINDA C. GOLDSTEIN, declares under penalty of perjury that:

1. I am an attorney duly admitted to practice before this Court and am a partner of Dechert LLP, 1095 Avenue of the Americas, New York, New York, counsel to Defendants Twenty-First Century Fox, Inc., Fox News Network, LLC, Dianne Brandi, and Irena Briganti (the "Fox Defendants") in this case. I make this declaration to submit documents supporting the Fox Defendants' Memorandum of Law in Opposition to Plaintiff's Motion to Quash the Fox Defendants' Non-Party Subpoenas *Duces Tecum*.

2. Attached hereto as Exhibit A is a true and correct copy of a sworn affidavit from Kristina Lee Hall, dated January 25, 2018.

3. Attached hereto as Exhibit B is a true and correct copy of a sworn affidavit from Deanna Johnson, dated January 24, 2018.

4. Attached hereto as Exhibit C is a true and correct copy of a sworn affidavit from Thomas Feeney, dated February 13, 2018.

5. Attached hereto as Exhibit D is a true and correct copy of a sworn affidavit from Jennifer Burke, dated January 26, 2018.

6. Attached hereto as Exhibit E is a true and correct copy of a sworn declaration from Charles Payne, dated February 15, 2018.

7. Attached hereto as Exhibit F is a true and correct copy of email correspondence between Plaintiff's attorney Douglas Wigdor and Kristina Lee Hall with the subject line "Scottie Hughes," dated September 18, 2017 and September 19, 2017, which Kristina Lee Hall provided to Thomas Feeney as stated in Exhibit C.

8. Attached hereto as Exhibit G is a true and correct copy of relevant excerpts of the Initial Disclosures served by the Fox Defendants on January 16, 2018.

9. Attached hereto as Exhibit H is a true and correct copy of an email sent by Ellen Mossman of Dechert LLP on January 30, 2018 at 12:02 p.m. to Douglas Wigdor, Jeanne Christensen, Michael Willemin, Jonathan Halpern, Jonathan Israel and Rachel Kramer with the subject line Hughes v. Twenty-First Century Fox, Inc. (17 Civ. 07093 (WHP)), serving the Fox Defendants' Notice of Subpoenas.

10. Attached hereto as Exhibit I is a true and correct copy of the Proof of Service for the subpoena served on Ralph Humphries on January 30, 2018 at 4:47 p.m. in Phoenix, Arizona.

11. Attached hereto as Exhibit J is a true and correct copy of the Proof of Service for the subpoena served on Alexander Shively on January 30, 2018 at 5:58 p.m. in Alexandria, Virginia.

12. Attached hereto as Exhibit K is a true and correct copy of relevant excerpts of the Fox Defendants' First Request for the Production of Documents by Plaintiff, served by the Fox Defendants on January 29, 2018.

I declare under penalty of perjury that the foregoing is true and accurate. Executed at New York, New York on February 15, 2018.

/s/ Linda C. Goldstein  
Linda C. Goldstein

**EXHIBIT A**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
SCOTTIE NELL HUGHES,

Plaintiff,

- against -

TWENTY-FIRST CENTURY FOX, INC., FOX NEWS  
NETWORK, LLC, DIANNE BRANDI, in her individual and  
professional capacities, IRENA BRIGANTI, in her individual  
and professional capacities and CHARLES PAYNE, in his  
individual and professional capacities,

Defendants.  
----- X

17 Civ. 07093 (WHP)

**AFFIDAVIT OF KRISTINA LEE HALL**

STATE OF ARIZONA )

)

ss.:

COUNTY OF MARICOPA )

I, KRISTINA LEE HALL, being duly sworn, deposes as follows:

1. I was the Operations Manager for the Tea Party News Network ("TPNN") from when it was formed in November 2012 until February 2015 when I left the TPNN. Before the TPNN was formed, I worked as a volunteer for TeaParty.net, a non-profit organization run by TPNN owner Todd Cefaratti.
2. I first met Scottie Nell Hughes at the Conservative Political Action Conference in February 2012 in Washington D.C. She then became the spokesman for TeaParty.net. When the TPNN was formed in November 2012, Scottie Nell Hughes continued to work for the TPNN as News Director.
3. I served as an assistant to Scottie Nell Hughes from February 2012 through February of 2015 at TeaParty.net and TPNN. It is my understanding that she was married throughout that time.
4. Through my work with Scottie Nell Hughes, I traveled and shared hotel rooms with her, observed her interactions with others, and discussed her with others.

5. 

6.

[REDACTED]

7.

[REDACTED]

8.

[REDACTED]

9.

[REDACTED]

10.

[REDACTED]

11.

[REDACTED]

[REDACTED]

12.

[REDACTED]

13.

[REDACTED]

14.

[REDACTED]

a.

[REDACTED]

b.

[REDACTED]

15.


Dated: January 25, 2018

*at* Gilbert, Arizona  
*as* Chandler



Kristina Lee Hall

Sworn to before me this  
25 day of January, 2018



Notary Public





**EXHIBIT B**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
SCOTTIE NELL HUGHES,

Plaintiff,

- against -

TWENTY-FIRST CENTURY FOX, INC., FOX NEWS  
NETWORK, LLC, DIANNE BRANDI, in her individual and  
professional capacities, IRENA BRIGANTI, in her individual  
and professional capacities and CHARLES PAYNE, in his  
individual and professional capacities,

Defendants.  
----- X

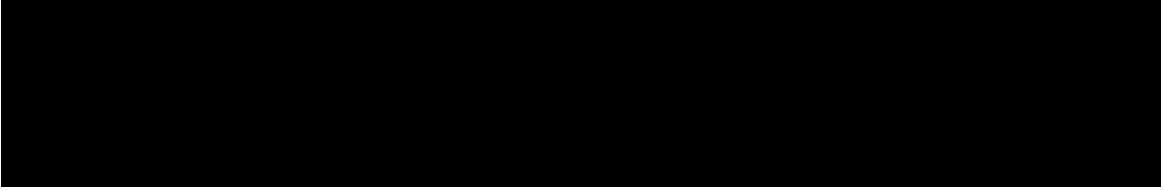



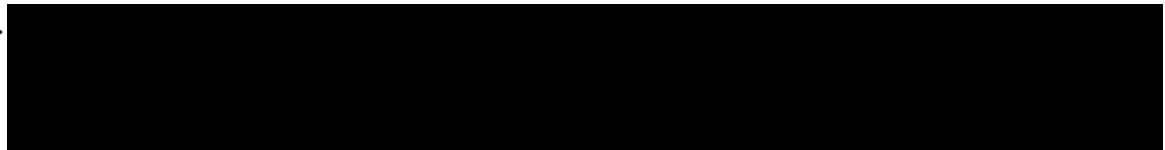
17 Civ. 07093 (WHP)

**AFFIDAVIT OF DEANNA JOHNSON**

STATE OF ARIZONA        )  
                                  )       ss.:  
COUNTY OF PINAL        )

I, DEANNA JOHNSON, being duly sworn, deposes as follows:

1. I was employed in an administrative capacity by the Tea Party News Network ("TPNN") from when it was formed in November 2012 until mid-2017 when there was no longer any need for my services. By about mid-2017, the entity ceased operating, the remaining assets were sold, and there was no longer any need for my services. TPNN was an online news outlet aimed at providing up-to-date political news that is relevant to the Tea Party movement. Before the TPNN was formed, I worked in an administrative capacity for TeaParty.net, a non-profit organization run by TPNN owner Todd Cefaratti. I first met Scottie Nell Hughes at the Conservative Political Action Conference in February 2012 in Washington D.C. At the time, Hughes had just become a spokesman for TeaParty.net. When the TPNN was formed in November 2012, Scottie Nell Hughes continued to work for the TPNN as News Director.
2. I performed administrative work on behalf of Scottie Nell Hughes and others from February 2012 through March 2017 at TeaParty.net and TPNN. During this time, Kristina Lee Hall also performed administrative work on behalf of Scottie Nell Hughes and others.
3. In my role performing administrative work on behalf of Scottie Nell Hughes, I made her travel arrangements, booked her tickets and, on many occasions when we travelled together, shared hotel rooms with her.

4. Through my work for TeaParty.net and TPNN, I learned that Todd Cefaratti paid Scottie Nell Hughes a salary and an appearance stipend and caused those organizations to pay for her expenses and public relations fees in connection with her public appearances. The appearance stipend was paid to Scottie Nell Hughes to enhance and maintain her personal appearance, for expenses associated with hair extensions, nails, dresses, makeup, makeup artists, and shoes. I recall that the monthly stipend grew from \$4,500 to \$10,000 during the course of my tenure.
5. Through my work with Scottie Nell Hughes, I know that Todd Cefaratti, the owner of the TPNN, had the TPNN or TeaParty.net pay for Scottie Nell Hughes's expenses associated with her appearing on Fox News Network and Fox Business Network shows. To my knowledge, while I was working at TPNN, Todd Cefaratti had the TPNN or TeaParty.net pay for every one of Scottie Nell Hughes's business trips, including to New York for appearances on television, including on Fox News Network and Fox Business Network shows. Once Scottie Nell Hughes began to appear regularly on "Making Money with Charles Payne," Todd Cefaratti kept a standing hotel reservation for Scottie Nell Hughes in New York. Eventually, he arranged for TPNN to pay a monthly rental for an apartment used by Scottie Nell Hughes during her trips to New York.
6. 
7. 
8. 
9. 
10. 

[REDACTED]

11. [REDACTED]

12. [REDACTED]

13. [REDACTED]

14. [REDACTED]

a. [REDACTED]

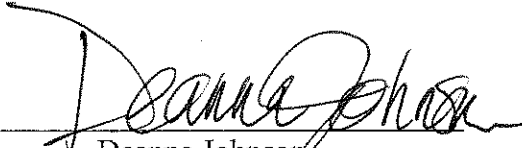
b. [REDACTED]



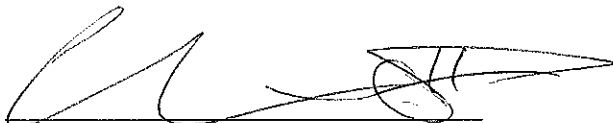
15.

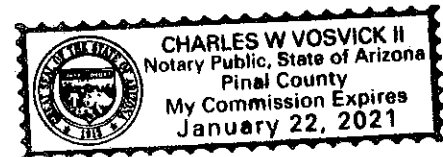


Dated: January 24, 2018  
San Tan Valley, Arizona

  
Deanna Johnson

Sworn to before me this  
24 day of January, 2018

  
Notary Public



**EXHIBIT C**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
SCOTTIE NELL HUGHES,

Plaintiff,

- against -

TWENTY-FIRST CENTURY FOX, INC., FOX NEWS  
NETWORK, LLC, DIANNE BRANDI, in her individual and  
professional capacities, IRENA BRIGANTI, in her individual  
and professional capacities and CHARLES PAYNE, in his  
individual and professional capacities,

Defendants.  
----- X

17 Civ. 07093 (WHP)

*District of Columbia*

~~STATE OF NEW YORK~~ )

) ss.:

~~COUNTY OF NEW YORK~~ )

**AFFIDAVIT OF THOMAS FEENEY**

THOMAS FEENEY, being duly sworn, deposes and states as follows:

1. I am a Managing Director with the investigative firm Nardello & Co., in Nardello & Co.'s Internal Investigations, Litigation Support and Complex Investigations practices.

2. Nardello & Co. has been employed by Dechert LLP in connection with the lawsuit captioned *Hughes v. Twenty-First Century Fox, Inc.*, 17 Civ. 07093 (WHP) (S.D.N.Y.) and I have been performing investigative services in connection with that action.

3. I have personal knowledge of the matters discussed below.

4. 

[REDACTED]

5. During my January 8, 2018 interview with Kristina Lee Hall, she stated that she had received an email from Scottie Nell Hughes's attorney, Douglas Wigdor, on September 18, 2017. She responded to Wigdor by email the next day. Kristina Lee Hall provided me with a copy of this email correspondence with Douglas Wigdor, a true and correct copy of which is attached to this affidavit as Exhibit A.


6. [REDACTED]

Dated: New York, New York  
February 13, 2018.

Sworn to before me this  
13th day of February 2018

  
Brinda L. Rothwell  
Notary Public

BRINDA L. ROTHWELL  
NOTARY PUBLIC DISTRICT OF COLUMBIA  
My Commission Expires April 14, 2022

  
Thomas Feeney



**EXHIBIT D**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
SCOTTIE NELL HUGHES,

Plaintiff,

- against -

TWENTY-FIRST CENTURY FOX, INC., FOX NEWS  
NETWORK, LLC, DIANNE BRANDI, in her individual and  
professional capacities, IRENA BRIGANTI, in her individual  
and professional capacities and CHARLES PAYNE, in his  
individual and professional capacities,

Defendants.  
----- X

17 Civ. 07093 (WHP)

**AFFIDAVIT OF JENNIFER BURKE**

STATE OF TEXAS            )  
                                  )       ss.:  
COUNTY OF BRAZORIA    )

I, JENNIFER BURKE, being duly sworn, deposes as follows:

1. I was the Social Media Director for the Tea Party News Network ("TPNN") from when it was formed in November 2012 until February 2015 when I left the TPNN. Before the TPNN was formed, I worked as the National Outreach Director for TeaParty.net, a non-profit organization run by TPNN owner Todd Cefaratti.
2. I first met Scottie Nell Hughes at the Venetian Las Vegas in Las Vegas, Nevada in November 2012 when what became the TPNN was providing media coverage of the presidential election. After the TPNN was formed in November 2012, Scottie Nell Hughes became the News Director of the TPNN.
3. I was a colleague of Scottie Nell Hughes from November 2012 through February of 2015 at TeaParty.net and TPNN. In or about early 2013, after I had worked with Scottie Nell Hughes for a few months, I came to understand that she was married. [REDACTED]
4. Through my work with Scottie Nell Hughes, I traveled and shared hotel rooms with her, observed her interactions with others, and discussed her with others.

5.

[REDACTED]

6.

[REDACTED]

7.

[REDACTED]

8.

[REDACTED]

9.

[REDACTED]

10.

[REDACTED]

11.

[REDACTED]

[REDACTED]

12.

[REDACTED]

a.

[REDACTED]

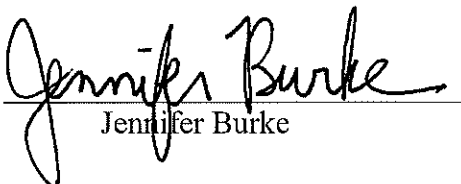
b.

[REDACTED]

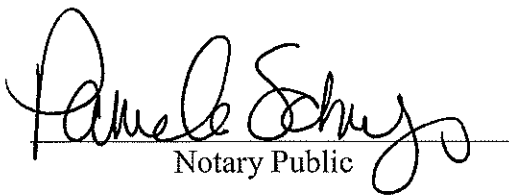
13.

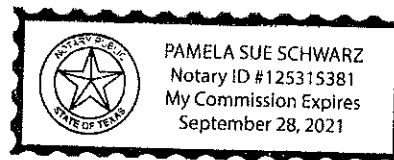
[REDACTED]

Dated: January 26, 2018  
Pearland, Texas

  
Jennifer Burke

Sworn to before me this  
26th day of January, 2018

  
Notary Public



**EXHIBIT E**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SCOTTIE NELL HUGHES,

Plaintiff,

- against -

TWENTY-FIRST CENTURY FOX, INC., FOX  
NEWS NETWORK, LLC, DIANNE BRANDI, in  
her individual and professional capacities, IRENA  
BRIGANTI, in her individual and professional  
capacities and CHARLES PAYNE, in his individual  
and professional capacities,

Defendants.

Civil Action No. 17-cv-07093-WHP

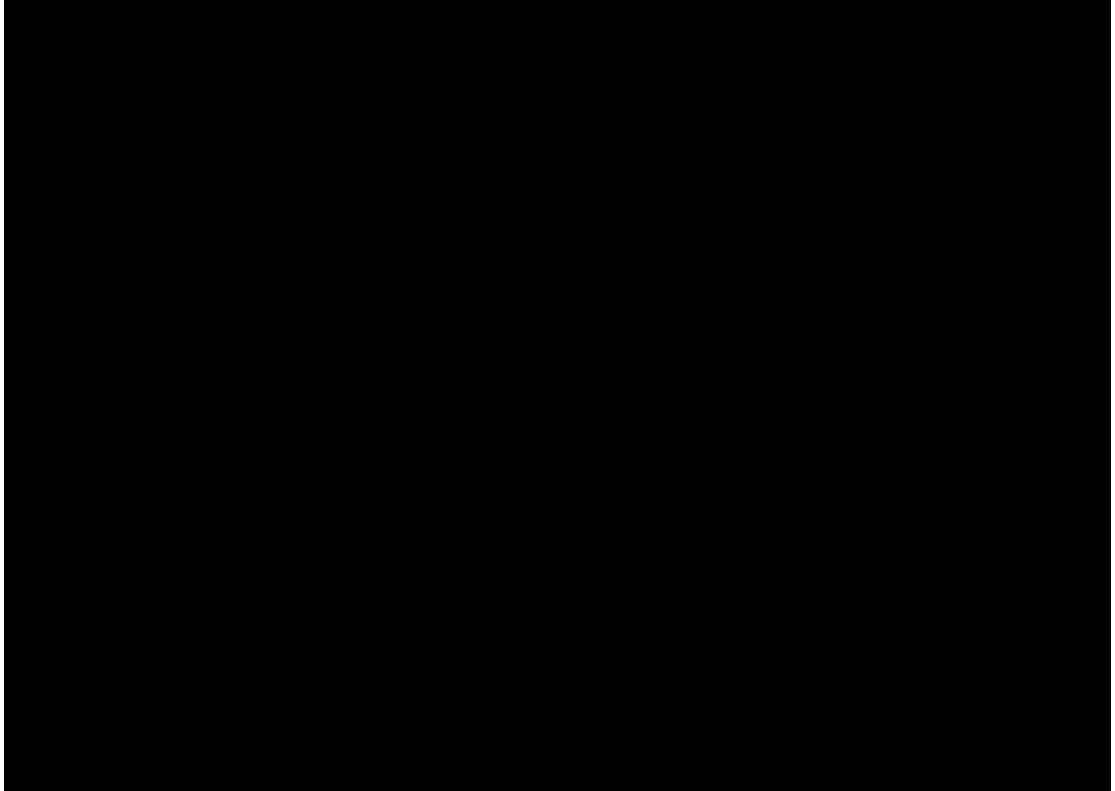
**DECLARATION OF  
CHARLES PAYNE**

DECLARATION OF CHARLES PAYNE

I, Charles Payne, pursuant to 28 U.S.C. Section 1746, declare and state as follows:

1. I am an adult and a defendant in the above-captioned action.
2. I have personal knowledge of the matters related below.
3. I understand that Defendants Twenty-First Century Fox, Inc., Fox News Network LLC, Dianne Brandi and Irena Briganti (collectively, the "Fox Defendants") have served a notice of subpoenas in this case seeking documents from certain non-parties: Wayne Dupree, Ralph Humphries, Alexander Shively and Dustin Stockton ("Subpoenas"). I submit this Declaration for a limited purpose only, in support of the Fox Defendants' response opposing Plaintiff's motion to quash the Subpoenas. I also understand that the Fox Defendants will endeavor to file publicly a redacted version of this Declaration.

4.



5. This Declaration does not reflect or purport to reflect my entire knowledge of, or every fact or circumstance relating to, among other things, the issues or topics addressed in this Declaration, my relationship with Plaintiff, my work at Fox or the allegations, claims or defenses in connection with this action.

I declare under penalty of perjury that the foregoing is true and accurate.

This the 15th day of February 2018 at New York, New York.

A handwritten signature in blue ink, appearing to read 'Charles Payne', is written over a horizontal line.

Charles Payne

**EXHIBIT F**



Fwd: Scottie Hughes

Kris Hall <kris@krisleehall.com>

Mon 1/8/2018 6:26 PM

Inbox

To: Thomas Feeney <tfeeney@nardelloandco.com>;

----- Forwarded message -----

From: Kris Hall <[kris@krisleehall.com](mailto:kris@krisleehall.com)>

Date: Mon, Sep 18, 2017 at 1:57 PM

Subject: Re: Scottie Hughes

To: Douglas Wigdor <[dwigdor@wigdorlaw.com](mailto:dwigdor@wigdorlaw.com)>

CC: Jeanne M. Christensen <[JChristensen@wigdorlaw.com](mailto:JChristensen@wigdorlaw.com)>, Michael J. Willemin <[mwillemin@wigdorlaw.com](mailto:mwillemin@wigdorlaw.com)>

While I appreciate the email you have sent me, I am under no obligation to keep silent about the first hand accounts I have personally witnessed by your client. [REDACTED] If I am asked, I will speak the truth.

If your client is running for a congressional seat, I have the right to criticize her past actions and bring those actions to the attention of the voters.

If you are trying to bully me or threaten me it will not be a problem to forward this to my lawyer if needed.

On Mon, Sep 18, 2017 at 12:18 PM, Douglas Wigdor <[dwigdor@wigdorlaw.com](mailto:dwigdor@wigdorlaw.com)> wrote:

Dear Ms. Hall,

It has come to my attention that you may be in possession of emails by and between our client Scottie Hughes and Charles Payne and that you have already, and may in the future be asked to comment on Ms. Hughes. Please be advised that any attempt to disseminate publicly those confidential emails and/or making any defamatory comments will be met with the appropriate legal action by our firm on behalf of Ms. Hughes.

**Douglas H. Wigdor**

*Partner*

**WIGDOR LLP**

85 Fifth Avenue, New York, NY 10003

[dwigdor@wigdorlaw.com](mailto:dwigdor@wigdorlaw.com)  
[www.wigdorlaw.com](http://www.wigdorlaw.com)



This communication may contain Confidential or Attorney-Client Privileged Information and/or Attorney Work Product. If you are not the addressee indicated in this message or its intended recipient (or responsible for delivery of the message to such person(s)), do not read, copy, or forward this message to anyone and, in such case, please immediately destroy or delete this message, including any copies hereof, and kindly notify the sender by reply e-mail, facsimile or phone. Thank you.

**EXHIBIT G**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
SCOTTIE NELL HUGHES,

Plaintiff,

- against -

TWENTY-FIRST CENTURY FOX, INC., FOX NEWS  
NETWORK, LLC, DIANNE BRANDI, in her individual and  
professional capacities, IRENA BRIGANTI, in her individual  
and professional capacities and CHARLES PAYNE, in his  
individual and professional capacities,

Defendants.  
----- X

17 Civ. 07093 (WHP)

**DEFENDANTS TWENTY-FIRST CENTURY FOX, INC.,  
FOX NEWS NETWORK, LLC, DIANNE BRANDI AND IRENA BRIGANTI'S  
INITIAL DISCLOSURES PURSUANT TO FED. R. CIV. P. 26(A)(1)**

**I. Preliminary Statement**

Defendants Twenty-First Century Fox, Inc., Fox News Network, LLC, Dianne Brandi and Irena Briganti (together, the “Fox Defendants”) by and through their attorneys, make the following initial disclosures, pursuant to Fed. R. Civ. P. 26(a)(1). The Fox Defendants’ initial disclosures are made in good faith and based upon information reasonably available to them before discovery has begun. Without assuming any duty to supplement these Initial Disclosures, other than any duties imposed by Fed. R. Civ. P. 26(e), the Fox Defendants reserve the right to amend or supplement these disclosures, or make additional disclosures, if they become aware of other responsive information. The Fox Defendants’ investigation is ongoing. They may also rely on the persons and documents disclosed by the other parties in this action.

In making these initial disclosures, the Fox Defendants are not conceding, or waiving any objections to, discoverability or admissibility based upon relevance, materiality, confidentiality, privilege, work product, undue burden, immunity, or any other objection or basis that may be

**B. Other Persons**

<b>Name &amp; Title</b>	<b>Topics</b>	<b>Last Known Contact Information</b>
Yvonne Payne	The termination of Payne's relationship with Plaintiff	Foley & Lardner LLP c/o Jonathan N. Halpern, Esq. [see above for contact information]
Michele Hirshman, Partner, Paul, Weiss, Rifkind, Wharton & Garrison LLP	Communications with Michael Sanchez	Paul, Weiss, Rifkind, Wharton & Garrison LLP 1285 Avenue of the Americas New York, NY 10019 Tel: (212) 373-3747
Justin Lerer, Counsel, Paul, Weiss, Rifkind, Wharton & Garrison LLP	Communications with Michael Sanchez	Paul, Weiss, Rifkind, Wharton & Garrison LLP 1285 Avenue of the Americas New York, NY 10019 Tel: (212) 373-3766
Current and former employees of the Tea Party News Network	Payment of Plaintiff's expenses for travel to Fox headquarters; Plaintiff's reputation for conducting adulterous affairs; Plaintiff's conduct of adulterous affairs	
Current and former employees of Politichicks	Plaintiff's reputation for conducting adulterous affairs; Plaintiff's conduct of adulterous affairs; Plaintiff's video appearances for Politichicks	
Current and former employees of the National Enquirer	Communications with Plaintiff and her agents; communications with Fox	
Current and former employees of or contributors to <i>Red Alert</i>	The source of Plaintiff's e-mails allegedly leaked to <i>Red Alert</i>	
Other witnesses to be identified	Plaintiff's qualifications as a political strategist and commentator	
Other witnesses to be identified	Plaintiff's reputation for conducting adulterous affairs with Payne or others	
Other witnesses to be identified	Plaintiff's conduct of adulterous affairs	
Other witnesses to be identified	Plaintiff's pursuit of career and financial opportunities	

**EXHIBIT H**

**Mossman, Ellen**

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**From:** Mossman, Ellen  
**Sent:** Tuesday, January 30, 2018 12:02 PM  
**To:** 'dwigdor@wigdorlaw.com'; 'jchristensen@wigdorlaw.com'; 'mwillemin@wigdorlaw.com'; 'JHalpern@foley.com'; 'JIsrael@foley.com'; 'RKramer@foley.com'  
**Cc:** Goldstein, Linda; Jacoby, Nicole; Martin, Deborah Kemi  
**Subject:** Hughes v. Twenty-First Century Fox, Inc. (17 Civ. 07093 (WHP))  
**Attachments:** Fox Defendants Notice of Subpoenas.pdf

Counsel,

Attached please find the Fox Defendants' Notice of Subpoenas.

Best,  
Ellen

**Ellen Mossman Ratigan**  
Associate

**Dechert LLP**

Cira Centre  
2929 Arch Street  
Philadelphia, PA 19104  
+1 215 994 2534 Direct  
+1 215 994 2222 Fax

[ellen.mossman@dechert.com](mailto:ellen.mossman@dechert.com)  
[dechert.com](http://dechert.com)

**EXHIBIT I**



UNITED STATES DISTRICT COURT

Scottie Neil Hughes  
**Plaintiff**

V

Civil Action No. **17-cv-07093 (WHP)**

Twenty-First Century Fox, Inc, et al

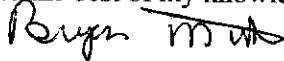
**PROOF OF SERVICE**

The undersigned is a private Process Server, registered in the county of Maricopa, Arizona. The undersigned received the following documents: **SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION, ACCOMPANING LETTER on 1/30/2018. The undersigned served the documents to: RALPH HUMPHRIES, a/k/a RUSTY HUMPHRIES on 1/30/2018 at: 4:47pm.**

LOCATION OF SERVICE: 3343 W. Owens Way, Phoenix, Arizona 85086.

DESCRIPTION: W/m 50-55 years of age, 5'8, 5'9, 200-220 lbs with short graying hair. He was wearing a black sport coat with sparkling design.

I declare and certify under penalty of law that the information contained herein is true and correct to the best of my knowledge and belief.



---

**BRYAN MUTH**

Officer of the Court #MC7293

**Bryan Muth**  
**Investigations**  
**602-361-0736**

**EXHIBIT J**

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

## UNITED STATES DISTRICT COURT

for the

Southern District of New York

Scottie Nell Hughes

Plaintiff

v.

Twenty-First Century Fox, Inc., et al.

Defendant

Civil Action No. 17-cv-07093 (WHP)

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To:

Alexander Shively a/k/a Alex Shively

(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

See attached Schedule A

Place: Dechert LLP  
1900 K Street, NW  
Washington, DC 20006

Date and Time:

02/16/2018 12:00 pm

☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 01/30/2018

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Twenty-First Cen. Fox, Inc., Fox News Network, LLC, Dianne Brandi, Irena Briganti, who issues or requests this subpoena, are: Linda Goldstein, Dechert LLP, 1095 Avenue of the Americas, New York, NY 10036, 215-698-3500, linda.goldstein@dechert.com

## Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (Page 2)

Civil Action No. 17-CV-07093 (WHP)

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* Alexander Shively on *(date)* Jan 29, 2018.

☒ I served the subpoena by delivering a copy to the named individual as follows: Alexander Shively on *(date)* Tue, Jan 30 2018; or

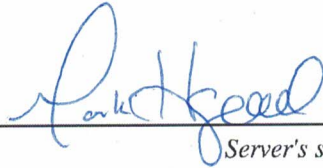
☐ I returned the subpoena unexecuted because: \_\_\_\_\_.

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \$125.00.

I declare under penalty of perjury that this information is true.

Date: 1/31/2018



\_\_\_\_\_  
*Server's signature*

Mark Hagood - Process Server

\_\_\_\_\_  
*Printed name and title*

107 S. West Street Ste. 417, Alexandria, VA 22314

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:

1) Successful Attempt: Jan 30, 2018, 5:58 pm EST at 9115 VOLUNTEER DR, ALEXANDRIA, VA 22309-2922 received by Alexander Shively. Age: 45; Ethnicity: Caucasian; Gender: Male; Weight: 175; Height: 5'10"; Hair: Brown; Eyes: Brown;

**EXHIBIT K**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
SCOTTIE NELL HUGHES,

Plaintiff,

- against -

TWENTY-FIRST CENTURY FOX, INC., FOX NEWS  
NETWORK, LLC, DIANNE BRANDI, in her individual and  
professional capacities, IRENA BRIGANTI, in her individual  
and professional capacities and CHARLES PAYNE, in his  
individual and professional capacities,

Defendants.  
----- X

17 Civ. 07093 (WHP)

**FIRST REQUEST BY DEFENDANTS TWENTY-FIRST CENTURY FOX, INC.,  
FOX NEWS NETWORK, LLC, DIANNE BRANDI AND IRENA BRIGANTI FOR  
PRODUCTION OF DOCUMENTS BY PLAINTIFF**

**PLEASE TAKE NOTICE** that, pursuant to Federal Rule of Civil Procedure 34(a), Defendants Twenty-First Century Fox, Inc., Fox News Network, LLC, Dianne Brandi and Irena Briganti (the “Fox Defendants”), by and through their attorneys, Dechert LLP, hereby request that Plaintiff Scottie Nell Hughes respond in writing to the following requests for production of documents (the “Requests”) and produce the documents described below to the offices of Dechert LLP, 1095 Avenue of the Americas, New York, New York 10036, no later than 30 days from the service hereof.

**DEFINITIONS**

1. “Hughes,” “Plaintiff,” “you,” and “your” means and refers to Scottie Nell Hughes and any employees, agents, representatives, consultants, lawyers, advisors, and/or any person or entity that acts on her behalf or in her name.

- o. Gina Loudon,
- p. Dean Sicoli,
- q. Tracy Byrnes,
- r. Hitha Herzog,
- s. Andrea Mackris,
- t. Keith Urbahn, and
- u. Kevin Lord.

- 19. All Communications between Plaintiff and Yvonne Payne.
- 20. All Documents and Communications relating to Yvonne Payne.
- 21. All Documents and Communications relating to Plaintiff's relationship with Charles Payne.
- 22. All Documents evidencing Plaintiff's Communications with Charles Payne, including but not limited to telephone bills.
- 23. All Documents evidencing any gifts from Plaintiff to Charles Payne, or from Charles Payne to Plaintiff, including but not limited to receipts and credit card bills.
- 24. All Documents and Communications of a sexual or romantic nature with any person other than Plaintiff's husband.
- 25. All Documents and Communications relating to Plaintiff's reputation for fidelity or infidelity to her husband.
- 26. All videos or photographs of Plaintiff of a sexual or romantic nature taken with or by or sent to any person other than Plaintiff's husband.

27. All diaries or journals kept by Plaintiff.
28. All copies of Plaintiff's resume or curriculum vitae.
29. All Documents and Communications relating to Plaintiff's experience and qualifications as a political strategist and commentator.
30. All Documents and Communications relating to Plaintiff's job performance, including but not limited to performance reviews and job evaluations.
31. All Documents and Communications relating to Plaintiff's efforts to seek employment of any kind after June 1, 2015.
32. All Documents and Communications relating to Plaintiff's efforts to seek introductions to politicians, political consultants, Republican Party officials, or television or radio bookers, producers or executives.
33. All Documents and Communications relating to any job opportunities that Plaintiff asserts were lost as a result of Defendants' alleged conduct, including without limitation all Documents and Communications relating to Plaintiff's application, consideration or rejection for a job or position with the White House, President Donald Trump or the Federal Government,
34. All Documents and Communications relating to any attempts by Plaintiff to run for or be appointed to local, state or national political office at any point after 2012.
35. All Documents and Communications relating to payment of Plaintiff's business travel expenses in 2013 to 2016, including but not limited to payment of Plaintiff's business travel expenses for trips to New York, NY.
36. All Documents and Communications relating to an apartment used by Plaintiff in New York, NY.



Dated: New York, New York  
January 29, 2018

DECHERT LLP

By: /s/ Linda C. Goldstein

Andrew J. Levander  
Linda C. Goldstein  
Nicole L. Jacoby  
1095 Avenue of the Americas  
New York, New York 10036-6797  
Tel.: (212) 698-3817  
Fax: (212) 698-0684

*Attorneys for Defendants Twenty-First  
Century Fox, Inc., Fox News Network, LLC,  
Dianne Brandi and Irena Briganti*